

109TH CONGRESS
2D SESSION

H. R. 4743

To amend part D of title XVIII of the Social Security Act to require prescription drug plans to provide enrollee notice of less expensive part D covered drugs that may be substituted for dispensed drugs.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2006

Mr. FORD introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend part D of title XVIII of the Social Security Act to require prescription drug plans to provide enrollee notice of less expensive part D covered drugs that may be substituted for dispensed drugs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ENROLLEE NOTICE OF AVAILABILITY OF LESS**
4 **EXPENSIVE COVERED PART D DRUG.**

5 (a) IN GENERAL.—Section 1860D–4(a) of the Social
6 Security Act (42 U.S.C. 1395w–104(a)) is amended by
7 adding at the end the following new paragraph:

1 “(5) INFORMATION ON AVAILABILITY OF LESS
2 EXPENSIVE COVERED PART D DRUGS.—If a PDP
3 sponsor provides an explanation of benefits to an en-
4 rollee under a prescription drug plan with respect to
5 a covered part D drug dispensed to the enrollee and
6 there is another covered part D drug that could have
7 been substituted for the drug dispensed and that has
8 a lower level of cost-sharing to the enrollee, the
9 sponsor shall provide the enrollee, as part of such
10 explanation of benefits or otherwise, with the infor-
11 mation on—

12 “(A) the name of such drug;

13 “(B) the lower level of cost-sharing for
14 such drug; and

15 “(C) the reduction in cost-sharing that
16 would have resulted from the substitution of
17 such drug.”.

18 (b) EFFECTIVE DATE.—The amendment made by
19 subsection (a) shall apply with respect to information re-
20 lating to drugs dispensed on or after the first day of the
21 first month that begins more than 60 days after the date
22 of the enactment of this Act.

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